

## CHAPTER 157.

[S. B. 233.]

## PROTECTION OF CLAMS.

AN ACT relating to clams and amending section 5750 of Remington's Compiled Statutes.

*Be it enacted by the Legislature of the State of Washington:*

SECTION 1. That section 5750 of Remington's Compiled Statutes be amended to read as follows:

Section 5750. It shall be unlawful for any person or persons whomsoever to take or dig any clams, except mud clams, from the beaches of the Pacific Ocean in this state or from the beaches of Grays Harbor or Willapa Harbor, or to have in their possession if the same have been taken for the purpose of canning or fore [for] sale, between the first day of June of each year and the first day of March of the following year, both dates inclusive; or to take or dig any mud clams upon the beaches of the Pacific Ocean in this state or from the beaches of Grays Harbor or Willapa Harbor, or to have in their possession if the same have been taken for the purpose of canning or for sale, between the first day of May and the thirty-first day of October, both dates inclusive, of each year; or to take or dig clams at any time except with fork, pick or shovel operated by hand.

On or before the first day of February of each year the commissioner may reserve and withdraw for said year from use for the taking of clams such portion of the tide lands owned by the state and such portion of the beaches of the Pacific Ocean as he may deem necessary, and shall give notice of such reserve and withdrawal from use by publication for one week in a newspaper published in the county in which such tide land or beach is situated, such notice to be given within ten days after making such re-

Amends  
§ 2508,  
Pierce's  
Code.

Closed  
season for  
ocean beach,  
Grays and  
Willapa  
harbors.

Mud  
clams.

May use  
only fork,  
pick or  
shovel  
hand  
operated.

Reservation  
from use  
state tide  
lands and  
ocean  
beaches.

Notice by  
publication  
of with-  
drawal of  
lands.

serve or withdrawal; and it shall be unlawful for any person or persons whomsoever to take or dig clams except for the use of himself and family from any tide lands or beaches so reserved or withdrawn by the commissioner from and after the first of March of each year, in which such notice shall be published: *Provided*, that nothing herein shall be construed to prevent the state from selling or leasing any of its tide lands in the manner now provided by law: *And Provided further*, That if any of the tide lands of the state are sold or leased which are included within the reservation or withdrawal herein provided for, that the said reservation shall thereupon cease to be effective as to said tide lands when sold or leased.

Unlawful to dig clams except for family use.

Does not prevent state selling or leasing its tide lands.

Sale or leasing of tide lands nullifies reservation.

Nothing in this section shall prevent the taking of clams for the consumption of the taker or his family or guests at all times without a license, and nothing in this section shall prevent the holder of a crab-fishing license or any persons designated by him from taking clams for use as bait only between the first day of October and the thirty-first day of May following, upon the payment of a special license fee of one dollar (\$1) for each such digger of clams.

Clams may be taken any time for family use.

Crab-fishing license, clams for bait.

Fee.

Passed the Senate December 18, 1925.

Passed the House January 5, 1926.

Approved by the Governor January 15, 1926.